

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KYLE DeROUSEAU; K.D.

Plaintiffs,

-against-

ANGELA MARTELLO, et al.,

Defendants.

21-CV-8711 (LTS)

ORDER DIRECTING PAYMENT OF FEE
OR IFP APPLICATION

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff Kyle DeRousseau, who is appearing *pro se*, brings this action individually and on behalf of his minor child K.D.¹ To proceed with a civil action in this Court, a plaintiff must either pay \$402.00 in fees – a \$350.00 filing fee plus a \$52.00 administrative fee – or, to request authorization to proceed without prepayment of fees, submit a signed *in forma pauperis* (IFP) application. *See* 28 U.S.C. §§ 1914, 1915.

Plaintiff DeRousseau submitted the complaint without the filing fees or an IFP application. Within thirty days of the date of this order, he must either pay the \$402.00 in fees or submit the attached IFP application. If Plaintiff DeRousseau submits the IFP application, it should be labeled with docket number 21-CV-8711 (LTS). If the Court grants the IFP application, Plaintiff DeRousseau will be permitted to proceed without prepayment of fees. *See* 28 U.S.C. § 1915(a)(1).

If Plaintiff DeRousseau complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If he fails to comply with this order within the time allowed, the action will be dismissed.

¹ Rule 5.2(a)(3) of the Federal Rules of Civil Procedure requires that any court submissions referring to a minor must only include the minor's initials.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppededge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

Plaintiff DeRousseau has consented to electronic service of documents. (ECF 2.)

SO ORDERED.

Dated: November 17, 2021
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge